

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

BOARDS OF TRUSTEES OF THE OHIO
LABORERS' FRINGE BENEFIT PROGRAMS,

Plaintiffs,

vs.

Civil Action 2:14-CV-2546
Chief Judge Sargus
Magistrate Judge King

HEADLANDS CONTRACTING &
TUNNELING, INC.

Defendant.

ORDER

This is an action for unpaid fringe benefit contributions, liquidated damages, and interest allegedly owed certain employee benefits plans pursuant to a collective bargaining agreement. Plaintiffs, the trustees of four trust funds, assert claims under ERISA, 29 U.S.C. § 1132, and the LMRA, 29 U.S.C. § 185. On April 15, 2015, the United States Magistrate Judge recommended that *Plaintiffs' Motion for Default Judgment*, Doc. No. 10, be granted, that the Clerk enter judgment against defendant and that plaintiffs Boards of Trustees of the Ohio Laborers' Fringe Benefit Programs have and recover from Headlands Contracting & Tunneling, Inc., the sum of Sixteen Thousand Three Hundred Forty-One Dollars and Sixty-Two Cents (\$16,341.62), including unpaid fringe benefit contributions through February 2015, prejudgment interest, and liquidated damages, and a reasonable attorney's fee in the amount of Two Thousand Three Hundred


Fifty-Eight Dollars and Seventy-Five Cents (\$2,358.75), plus interest from the date of judgment at the rate of one percent (1%) per month. Report and Recommendation, ECF 12. Although the parties were advised of their right to objection to the recommendation and of the consequences of their failure to do so, there has been no objection.

The Report and Recommendation, ECF 12, is **ADOPTED AND AFFIRMED**.

Plaintiffs' Motion for Default Judgment, Doc. No. 10, is **GRANTED**. Plaintiffs Boards of Trustees of the Ohio Laborers' Fringe Benefit Programs shall have and recover from Headlands Contracting & Tunneling, Inc., the sum of Sixteen Thousand Three Hundred Forty-One Dollars and Sixty-Two Cents (\$16,341.62), including unpaid fringe benefit contributions through February 2015, prejudgment interest, and liquidated damages, and a reasonable attorney's fee in the amount of Two Thousand Three Hundred Fifty-Eight Dollars and Seventy-Five Cents (\$2,358.75), plus interest from the date of judgment at the rate of one percent (1%) per month.

The Clerk is **DIRECTED** to enter judgment against defendant accordingly.

6-16-2015
Date



Edmund A. Sargus, Jr.
Chief United States District Judge